

Notice of Allowability

Application No.

09/295,273

Examiner

Stephen L. Blau

Applicant(s)

SUMITOMO ET AL.

Art Unit

3711

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 3/16/04.
2. ☒ The allowed claim(s) is/are 1 and 4-9.
3. ☒ The drawings filed on 10 July 2003 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 03162004
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

Request for Continued Examination (RCE)

1. The request filed on 9 February 2004 for a Request for Continued Examination (RCE) under 37 CFR 1.53(d) based on parent Application No. 09/295,273 is acceptable and a RCE has been established. An action on the RCE follows.

EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Andrew D. Meikle on 16 March 2004.

3. The application has been amended as follows: In claim 1 line 26 the words "or more" have been removed.
4. The following is an examiner's statement of reasons for allowance: None of the prior art discloses or renders as obvious a winding start position of a first inclined fiber

Art Unit: 3711

reinforced resinous layer and a winding start position of the second inclined fiber reinforced resinous layer being spaced 180 degrees in a circumferential direction, first and second inclined fiber reinforced resinous layer being wound by $N + .5$ unintegral turns wherein N is an integer of one in addition to the other elements of structure claimed. Hoffmeyer discloses N being an integer greater than one (Col. 5, Lns. 11-20). 3-82486 discloses having the same number of turns and thickness for a bias layer long the length of a shaft with bias layers offset by .5 turns. Kusumoto discloses making offset bias layers into one prepreg (Col. 10, Lns. 57-67).

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Drawings

5. The change to the specification in pages 9-10 and to the claims overcomes the drawing objection under 37 CFR 1.83(a).


Claim Rejections - 35 USC § 112

6. The change to the specification in pages 9-10 and to the claims overcomes the rejection of claims 1 and 4-9 under 35 U.S.C. 112 first paragraph.

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steve Blau whose telephone number is (703) 308-2712. The examiner is available Monday through Friday from 8 a.m. to 4:30 p.m.. If the examiner is unavailable you can contact his supervisor S. Thomas Hughes whose telephone number is (703) 308-1806. Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-0858. (TC 3700 Official Fax 703-872-9306)

slb/ 21 March 2004


STEPHEN BLAU
PRIMARY EXAMINER